



REGISTRAR OF REGULATIONS

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# COMMONWEALTH of VIRGINIA

*Department of Health*  
**DIVISION OF SHELLFISH SANITATION**  
109 Governor Street, Room 614-B  
Richmond, VA 23219

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## **NOTICE AND DESCRIPTION OF SHELLFISH AREA CONDEMNATION NUMBER 097-219, FINNEY CREEK**

**EFFECTIVE 2 MARCH 2006**

Pursuant to Title 28.2, Chapter 8, §§28.2-803 through 28.2-808, §32.1-20, and §9-6.14:4.1, B.16 of the *Code of Virginia*:

1. The "Notice and Description of Shellfish Condemnation Number 097-219, Finney Creek," effective 1 March 2005 is cancelled effective 2 March 2006.
2. Condemned Shellfish Area Number 097-219, shown as Sections A and B, is established, effective 2 March 2006. It shall be unlawful for any person, firm, or corporation to take shellfish from these areas for any purpose, except by permit granted by the Marine Resources Commission, as provided in Section 28.2-810 of the *Code of Virginia*. The boundaries of these areas are shown on the map titled "Finney Creek, Condemned Shellfish Area Number 097-219, 2 March 2006" which is part of this notice.
3. Seasonally Condemned Shellfish Number 097-219, shown as Sections M1 and M2, is hereby established, effective April 1, 2006, and shall remain in force annually thereafter for the period beginning the first day of April through the last day of October until rescinded. It is unlawful for any person, firm or corporation to take shellfish from these areas during such period for any purpose, except by permit granted by the Marine Resources Commission, as provided in §28.2-810 of the *Code of Virginia*. The boundaries of these areas are shown on the map titled "Finney Creek, Condemned Shellfish Area Number 097-219, 2 March 2006" which is part of this notice.
4. The Department of Health will receive, consider and respond to petitions by any interested person at any time with respect to reconsideration or revision of this order.

### **BOUNDARIES OF CONDEMNED AREA NUMBER 097-219**

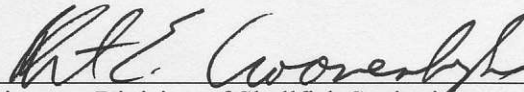
- A. The condemned area shall include that portion of Finney Creek upstream of a line drawn from latitude / longitude map coordinate (37°37'04.9", -75°40'33.3"), to map coordinate (37°37'08.4", -75°40'22.8").
- B. The condemned area shall include that portion of Finney Creek north of a line drawn from latitude / longitude map coordinate (37°36'11.7", -75°41'14.0") to map coordinate (37°36'11.0", -75°41'10.8"), and south of a line drawn from map coordinate (37°36'22.6", -75°41'13.4") to map coordinate (37°36'22.2", -75°41'11.2").

**VDH** VIRGINIA  
DEPARTMENT  
OF HEALTH  
*Protecting You and Your Environment*


[www.vdh.virginia.gov/shellfish](http://www.vdh.virginia.gov/shellfish)

- M1. The seasonally condemned area shall that portion of Finney Creek north of a line drawn from latitude / longitude map coordinate (37°36'22.6",-75°41'13.4") to map coordinate (37°36'22.2",-75°41'11.2"), and south of a line drawn from map coordinate (37°36'34.0",-75°40'54.7") to map coordinate (37°36'32.4",-75°40'52.5").
- M2. The seasonally condemned area shall include all of that portion of Finney Creek south of a line drawn from latitude / longitude map coordinate (37°36'11.7",-75°41'14.0") to map coordinate (37°36'11.0",-75°41'10.8"), and north of a line drawn from map coordinate (37°35'51.0",-75°41'15.0") to map coordinate (37°35'52.4",-75°41'04.6"), and inland of a third line drawn across the Wachapreague Channel between map coordinate (37°35'57.5",-75°40'49.4") and map coordinate (37°35'54.0",-75°40'49.7").

Recommended by:

  
\_\_\_\_\_  
Director, Division of Shellfish Sanitation

Ordered by:


  
\_\_\_\_\_  
State Health Commissioner

  
\_\_\_\_\_  
Date

**Virginia Department of Health**  
**Finney Creek**  
**Condemned Shellfish Area 097-219**  
**2 March 2006**

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-  **Condemned Shellfish Areas**  
(Sections A & B)
-  **Seasonally Condemned Shellfish Areas**  
(Sections M1 & M2)

